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From: <mainaz@pop.phnx.uswest.net>
To: ACC_DOMAIN.ADMIN_PO(MSPITZER,WMUNDELL),CC.SMTP("mainaz@pop.phnx.uswest.net")
Date: 2/6/02 4:50PM
Subject: SALT RIVER PROJECT DOCKET L-00000B-00-0105

Dear Chairman Mundell and Commissioner Spitzer:

SANTAN GENERATING STATION EXPANSION
DECISION NO. 63611-DOCKET NUMBER L-00000R-00-0105

The Certificate of Environmental Compatibility, obtained by the Salt River Project, condition #41 has clearly been violated based on the fact that they applied for their Maricopa County Air Quality Permit for this site to include the burning of diesel. The action to file for such a motion clearly violates the Certificate of Environmental Compatibility. They just happened to have been caught. They purposely and maliciously went behind the authority of the Arizona Corporation Commission to obtain an end result they wanted instead of abiding by the law. A slap on the wrist and an apology letter isn't sufficient evidence that they won't try it again. Mr. Sundlof stated on April 25th, 2001 that Salt River Project would abide by these conditions without objection and made no effort to file a motion for reconsideration based on your decision. Yet the actions taken prove otherwise. What precludes Salt River Project from inserting the burning of diesel six months, two years or even ten years from now? What precludes them from trying to do this when not all of you are there to protect this condition for the residents of Arizona? Who will guarantee the protection of the Arizona residents from a business that hides behind their governmental status? They need to be held accountable for their actions. This breach of trust is just one more example of how Salt River Projects monetary needs have always outweighed their concern for public health and safety. There is no excuse or explanation that will ever validate the blatant violation of condition #41. Why are their actions always in conjunction with an above the law attitude? The intervenors have respectfully and lawfully followed all of the proper procedures during the Line Siting Committee and the Arizona Corporation Commission hearings. We filed a motion for reconsideration to protect the interests for all of the people of Arizona. Under these new developments and circumstances we are asking you to re-open the Certificate of Environmental Compatibility based on contractual failures, contradictions in testimony and most importantly contempt of condition #41. We would appreciate answers to these questions as soon as possible, as this is an immediate concern for us. We sincerely appreciate the efforts and continued efforts you have made to pursue the whole truth in this matter! Thank you!

Regards, Melissa & Michael Apergis
mainaz@qwest.net

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